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LETTER DATED 4 FEBRUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter dated 1 February 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Zaire to the United Nations addressed to the President of the Security Council (S/1997/98).

In the annex to the letter, there is a letter dated 1 February 1997 addressed to the President of the Security Council by the Deputy Prime Minister and Minister for Foreign Affairs of Zaire, Mr. Gérard Kamanda-Wa-Kamanda.

It is not the first time that the Government of Rwanda has been subjected to unfounded allegations such as those contained in the above-mentioned letter. On each occasion, the Government of Rwanda has denied and continues to deny categorically its involvement in the Zairian internal crisis.

In its recent disinformation crusade, the Government of Zaire has again looked for scapegoats instead of addressing the fundamental socio-economic situation as well as the recent armed rebellion in eastern Zaire. Neither the false accusations against neighbouring countries (Uganda, Burundi and Rwanda), nor the use of soldiers of fortune or calls for military intervention by outside countries would be helpful to Zaire in the search for a solution to the many problems facing Zaire, including the recent rebellion. The externalization of the Zairian internal crisis will only serve to complicate further the situation.

The letter to the Security Council from the Deputy Prime Minister and Minister for Foreign Affairs of Zaire invoked the provisions of Articles 34 and 35 of the Charter of the United Nations which states that the Security Council may investigate any dispute or situation which might, inter alia, lead to international friction. He also called upon the Security Council to assume its responsibility in a crisis that had been created by Zaire itself.

Does the Government of Zaire or its leadership have any moral authority to reproach the Security Council? Was it not the Government of Zaire itself that triggered the national crisis when it passed legislation that denationalized its own citizens and subsequently threatened them with expulsion from their own country in 1995-1996?

Article 4 of that legislation denies citizenship to people who were not of Zairian ancestry prior to 1885.

What would happen if any other country attempted to introduce the same law?

- What moral authority does the Zairian authority have to ask the Security Council to assume its responsibility when the Government of Zaire and its leadership abandoned its own citizens, its military and its civil service to fend for themselves in a system-wide and pervasive corruption as well as a dysfunctional political and economic system?

- Is Rwanda responsible for Zaire's hyper-inflation and price changes, which vary from morning to afternoon?

- Is it not these and other related factors that underpin the root cause of the present crisis in Zaire?

- Would elections per se and the impressive 450 political parties in Zaire help to bring order to the country?

In his letter, the Deputy Prime Minister and Minister for Foreign Affairs of Zaire accused Rwanda of involvement in its internal political and armed rebellion quagmire. These are false allegations. The truth of the matter is as follows:

Who is actually involved in the fighting in eastern Zaire?

<u>On the Zairian side</u>

1. The disgruntled and unpaid Zairian soldiers (hence the explanation of their defeat on the ground).

2. The genocidal army of the former Government of Rwanda, which has been fully integrated into the Zairian Army. These are between 30,000 and 40,000 soldiers. Thousands of the Interahamwe militia have also been recruited.

3. The mercenaries from Belgium, France and other countries which are providing rear and logistic support to the Zairian Army.

4. There are reports that some African countries have been asked to join the Zairian Army.

<u>On the rebels side</u>

1. The National Resistance Council for Democracy, led by Mr. Ngandu Kisase, who is a Zairian from Kasai Province in Zaire.

2. The Revolutionary Movement for the Liberation of Zaire, led by Mr. Massasu, who is a Mushi from Zaire.

3. The Popular Revolutionary Party led by Mr. Kabila, who is a native of Shaba Province of Zaire.

4. The People's Democratic Alliance led by Banyamulenge.

5. Deserters from the Zairian Army and the support the rebellion gets from Zairian Army commanders.

The above-mentioned fighting forces formed an alliance known as the Council of Alliance of Democratic Forces for the Liberation of the Congo, under the leadership of Mr. Kabila.

Clearly, the above-mentioned fighting forces are neither Rwandan, Ugandan or Burundian forces as alleged by Mr. Kamanda-Wa-Kamanda. The Security Council will recall that in his briefing of 28 January 1997, Mr. Kamanda-Wa-Kamanda himself informed the Security Council that "Mr. Laurent Kabila is neither a Rwandan nor a Tutsi or from North or South Kivu". He acknowledges that the leader of the rebellion in eastern Zaire is a Zairian.

In the same briefing, he affirmed that the leader of the National Resistance Council for Democracy, Mr. Ngandu Kisase, is also a Zairian. "Mr. Ngandu Kisase is neither a Rwandan and not even a Tutsi, but a Luba from Kasai Province in Zaire."

Why should the Zairian authorities seek to mislead the international community?

The Security Council is not unaware of the cause of the crisis in eastern Zaire. The Security Council was provided with a historical synopsis of the crisis in eastern Zaire (S/1996/869 of 23 October 1996). Also, in adopting resolution 1053 (1996) of 23 April 1996, the Security Council was fully aware of the gravity of the situation in eastern Zaire and expressed its concern in unequivocal terms:

> "Gravely concerned by the findings of the Commission of Inquiry that certain Rwandan elements are receiving military training to conduct destabilizing raids into Rwanda."

The Security Council is further aware of the report of the International Commission of Inquiry to investigate the sale or supply of arms in eastern Zaire (S/1996/195 of 14 March 1996) and the report of 1 November 1996, which is yet to be published. The Secretary-General of the United Nations in his report (S/1996/195) informed the Council that the International Commission set up by the Security Council did not get the cooperation of the Government of Zaire and especially that of the Deputy Prime Minister and Minister for Foreign Affairs, Mr. Kamanda-Wa-Kamanda. He is now asking the Security Council to assume its responsibility for the crisis in eastern Zaire when he refused to cooperate with the same.

In referring to the non-cooperation of the Government of Zaire, the report of the Secretary-General (S/1996/195) is even clearer. It states (in para. 66 of the annex):

"... The first conclusion it has reached is that the response by the Government of Zaire to the questions posed by the Commission to the Zairian Minister for Foreign Affairs in Kinshasa was, at best, highly misleading and inadequate. The Commission is satisfied that the Government of Zaire knew, or should have known, that one of the very few functioning aircraft in its national airline had engaged in the transportation of arms from Seychelles to Goma ..."

In view of the aforementioned, the Security Council should consider the letter from the Deputy Prime Minister and Minister for Foreign Affairs of Zaire as an attempt to mislead the Council. The letter also seeks to undermine the Council's own and independent assessment of the situation in eastern Zaire. It is, indeed, now very clear that the timing of these allegations with the appointment of the Special Representative of the Secretary-General for the Great Lakes region is an attempt to pre-empt the findings of his visit to the region.

The Security Council might well be advised that the crisis in eastern Zaire should be treated as purely internal to Zaire. It requires a peaceful and negotiated settlement. The Government of Zaire should be prevailed upon to look for a peaceful solution to its crisis. To externalize it by involving mercenaries contrary to the General Assembly resolutions will complicate the situation. Suffice it to stress that failure to look for a peaceful solution to the Zairian crisis will more than likely entail yet another human carnage of greater proportions in the region.

The Security Council has been further misled by the Zairian Deputy Prime Minister, Mr. Kamanda-Wa-Kamanda, when in his statement he referred to the presence of 3 million Rwandan refugees in 1994. He also misled the international community that after the massive return of Rwandan refugees from October to December 1996, there still remains more than 1 million Rwandan refugees in eastern Zaire.

These figures do not reflect the reality. The Security Council is capable of getting the proper number of Rwandan refugees in Zaire from the Office of the United Nations High Commissioner for Refugees (UNHCR). In the monthly digest of UNHCR activities of January/February 1997, it is stated that some 1.3 million Rwandan refugees from the United Republic of Tanzania and Zaire have returned to Rwanda since the outbreak of fighting in October 1996.

The facts are that there are no more Rwandan refugees remaining in eastern Zaire. The doors have been, and continue to be, open for all Rwandans to return home. Those who have chosen the path of self-exile should be treated as such and should not be granted a blanket refugee status except on an individual basis.

The Interahamwe militia and the genocidal army together with their families in Zaire are about 200,000 people. Is the Zairian Deputy Prime Minister asking the international community to support this criminal army and the militia, knowing full well their role in the Rwandan genocide?

The Security Council might well be advised that any premature decision or resolution that it will take without taking fully into consideration the views of Governments of the region and the report of the Special Representative of the Secretary-General on the situation in eastern Zaire will complicate an already complex problem.

I should be grateful if you would circulate the present letter as a document of the Security Council.

(Signed) Gideon KAYINAMURA
Ambassador
Permanent Representative
of Rwanda to the United Nations